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*Counsel for Defendant Nevada
Power Company*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TERRY E. DICKSON; RONALD N. BEGAY;
LARRY D. EILERS; ALDEN T.
FERGUSON; and WILBUR TARR,

Plaintiffs,

v.

NEVADA POWER COMPANY, a Nevada
corporation; SALT RIVER PROJECT
AGRICULTURAL IMPROVEMENT AND
POWER DISTRICT, a political subdivision of
the State of Arizona, as a participant in the
MOHAVE GENERATING PROJECT; and
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT,
a political subdivision of the State of Arizona,
as Operating Agent of the Navajo Generating
Project;

Defendants.

CASE NO.: 2:96-cv-0020-LDG-LRL

**STIPULATION AND
ORDER WITHDRAWING AFFIDAVIT
AND REQUEST FOR ATTORNEY'S
FEES AND ACKNOWLEDGING
SATISFACTION OF JUDGMENT**

Plaintiffs, TERRY E. DICKSON, RONALD N. BEGAY, LARRY D. EILERS, ALDEN
T. FERGUSON, and WILBUR TARR, along with Defendants, and NEVADA POWER
COMPANY, (each a "Party" and, collectively, "Parties"), by and through their counsel of
record¹, hereby enter into the following stipulation:

WHEREAS, as a result of a dispute between Terry E. Dickson, Ronald N. Begay, Larry
D. Eilers, Alden T. Ferguson, and Wilbur Tarr (collectively, "Plaintiffs"), and Defendants
Nevada Power Company ("Nevada Power") and the Salt River Project Agricultural Improvement

¹ Heideman & Associates is the successor entity of Ascione, Heideman & McKay, LLC.

1 and Power District, on January 5, 1996, Plaintiffs filed a civil lawsuit against Nevada Power and
2 the Salt River Project Agricultural Improvement and Power District which was litigated in the
3 U.S. District Court in and for the District of Nevada as Case No. 2:96-cv-00020-LDG-LRL (the
4 "Action") alleging a cause of action and damages related to Plaintiffs' rights under ERISA and
5 their retirement plans;

6 WHEREAS, on February 8, 2005, the Court issued its Decision and Judgment on the
7 merits of the Action where it awarded Plaintiffs \$22,860.00 and conditionally awarded the
8 payment of Plaintiffs' attorney's fees and costs, subject to further briefing and order of the Court;

9 WHEREAS, on April 5, 2005, Plaintiffs submitted their Affidavit of Attorneys' Fees
10 (ECF No. 174), regarding attorney's fees and costs, which was opposed by Nevada Power (ECF
11 Nos. 175, 176);

12 WHEREAS, the Court has not issued an order concerning Plaintiffs' Affidavit of
13 Attorney's Fees regarding an award of attorney's fees and costs;

14 WHEREAS, the Judgment has been fully satisfied; and

15 WHEREAS, the Parties have agreed to resolve the disputes between them concerning the
16 Court's Decision, Judgment, and Plaintiffs' Affidavit of Attorneys' Fees.

17 THEREFORE, the Parties hereby stipulate and agree to the following:

18 1. Plaintiffs hereby withdraw their Affidavit of Attorneys' Fees (ECF No. 174),
19 together with any request for an award of attorney's fees and costs, with prejudice;

20 2. The Parties acknowledge the payment of TWENTY FIVE THOUSAND
21 DOLLARS (\$25,000.00) from Nevada Power in full and complete satisfaction of any attorney's
22 fees and costs owed to Plaintiffs in or resulting from this action, or that could have otherwise
23 been sought by Plaintiffs in connection with the occurrences and transactions referenced in this
24 action;

25 3. The Parties acknowledge the payment of \$22,860.00 in full and complete
26 satisfaction of the Judgment; and

27 4. This matter may now be closed.
28

IT IS SO STIPULATED THROUGH COUNSEL OF RECORD,

Dated: September 21, 2016

By: [Signature]
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*Counsel for Defendant Nevada
Power Company*

Dated: September 19, 2016

By: [Signature]
Justin D. Heideman
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2696 North University Ave., Suite 180
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*Counsel for Plaintiffs Terry E. Dickson,
Ronald N. Begay, Larry D. Eilers, Alden T.
Ferguson, and Wilbur Tarr*

ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED:

Dated: 23 September 2016

[Signature]
United States District Court Judge
Lloyd D. George